THE HONOUABLE SRI JUSTICE RAMESH RANGANATHAN

WRIT PETITION No.5160 of 1995

Between:

V.Seethapathi. **.. PETITIONER**

AND

The Director of Sugar and Cane Commissioner and another.

.. RESPONDENTS

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ORDER:

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The relief sought for in this writ petition is a direction to the 2nd respondent to absorb the petitioner in any one of the posts as a Van/Car/Jeep driver, without constituting a Selection Committee as was done in other cases.

Learned counsel for the petitioner would refer to the counter affidavit filed on behalf of the second respondent, wherein at paragraph-6, it is stated that the petitioner's

case would be considered at the time of recruitment by following the procedure laid down by the Selection Committee. Learned counsel would submit that since the respondents themselves agreed that the case of the petitioner would be considered at the time of recruitment by following the procedure laid down by the Selection Committee, the writ petition may be disposed of issuing a direction in terms of what has been stated by the respondents in their counter affidavit.

It is not for this court to issue a Mandamus to the respondents to constitute a Selection Committee or to create posts or that the created posts should be filled up. These are all matters for the employer, in its wisdom, to decide. If, however, the respondents choose to resort to recruitment and in case the petitioner satisfies the conditions prescribed for appointment, his case shall also be considered for appointment to the non-seasonal post of driver. This direction is being issued as respondents, in their counter-affidavit, have stated that the case of the petitioner would be considered.

The writ petition is accordingly disposed of. No order as to costs.

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28-02-2006

Prv